

AMENDED IN SENATE AUGUST 24, 2006

AMENDED IN ASSEMBLY MAY 30, 2006

AMENDED IN ASSEMBLY APRIL 26, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2148

Introduced by Assembly Member McCarthy

February 21, 2006

An act to add Article 8.5 (commencing with Section 17075.50) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2148, as amended, McCarthy. School facilities: supplemental funding: project management assistance.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

This bill would authorize a school district *with an average daily attendance of 2,500 or fewer* to request supplemental funding assistance from the board in order to manage new construction or modernization projects approved by the board after January 1, 2007. The bill would authorize a school district with an approved request to contract with a county office of education, an architect, a general contractor, or a construction manager, except as provided, to provide the management services and would specify what the management services may include. The bill would require the board to adopt

regulations to establish the supplemental allowances, which would be prohibited from exceeding 5% of a specified amount.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 8.5 (commencing with Section
2 17075.50) is added to Chapter 12.5 of Part 10 of the Education
3 Code, to read:

4
5 Article 8.5. Project Management Assistance For School
6 Districts
7

8 17075.50. A school district *with an average daily attendance*
9 *of 2,500 or fewer in the prior year* may request supplemental
10 funding assistance from the board in order to manage new
11 construction or modernization projects of the school district that
12 are approved by the board pursuant to this chapter after January
13 1, 2007.

14 17075.52. (a) An eligible school district whose request has
15 been approved by the board may contract with a county office of
16 education, an architect, a general contractor, or a construction
17 manager to provide the management services authorized by this
18 article. The management services shall be for the purpose of
19 providing assistance to the school district in the management of
20 new construction or modernization projects approved by the
21 board after January 1, 2007.

22 (b) The management services that a school district may
23 contract for under an approved request include any of the
24 following:

25 (1) Assistance in the selection of providers of services,
26 including, but not limited to, any of the following:

27 (A) A design professional.

28 (B) A general contractor.

29 (C) A state-approved inspector.

30 (D) A construction manager.

31 ~~(2) Advice on the bidding process, including, but not limited~~
32 ~~to, any of the following:~~

33 ~~(A) Prequalification of bidders.~~

1 ~~(B) Development of a list of bidders.~~

2 ~~(C) Review of bidders.~~

3 ~~(D) Review of bid specifications.~~

4 ~~(E) Other services in the bid process.~~

5 ~~(F) Direct project management project review including the~~
6 ~~review of change orders and assistance with closeout audits and~~
7 ~~the certification of occupancy.~~

8 (2) *Management services, including, but not limited to, any of*
9 *the following:*

10 (A) *Preconstruction services, including cost estimating,*
11 *scheduling, prequalification of bidders, and review of bid*
12 *documents.*

13 (B) *Bid phase services, including coordination of the*
14 *preparation and placement of notices and advertisements, receipt*
15 *and analysis of bids, conducting pre-bid conferences and making*
16 *recommendations for award of contracts.*

17 (C) *Construction phase services, including administration of*
18 *construction contracts, schedules, change orders and progress*
19 *payments, and direct monitoring of construction progress.*

20 (D) *Closeout and postconstruction assistance with*
21 *commissioning and occupancy, assembly of record*
22 *documentation, postconstruction audits or warranty*
23 *requirements.*

24 (c) *If an approved school district chooses to contract on a*
25 *project with a third party for the management services, the third*
26 *party shall not have a contract with the school district to provide*
27 *any of the following construction services: specified in*
28 *paragraph (1) or (2) of subdivision (b), the third party shall not*
29 *perform any of the following services on the same project:*

30 (1) *Design professional.*

31 (2) *General contractor.*

32 (3) *State-approved inspector.*

33 (4) ~~Construction manager~~ *Subcontractor.*

34 17075.54. The board shall adopt regulations establishing the
35 appropriate supplemental allowance for purposes of this article,
36 which shall not exceed 5 percent of the total new construction or
37 modernization state grant plus the required contribution amount
38 from local funds.

1		_____
2	CORRECTIONS:	
3	Heading—Amended Date	
4		_____

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